

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1286 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
2 to 5 No

MANJULA CHAINROOP BHANSALI

Versus

STATE OF GUJARAT

Appearance:

MR KH BHAYA for Petitioner

Mr. Gohil, APP for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 18/04/98

ORAL JUDGEMENT

Heard learned Advocate Mr. K.H. Bhaya appearing for the petitioner.

Rule. Learned APP Mr. Gohil waives service of Rule on behalf of the State. The parties have not pressed for reasoned order. However, having regard to the facts and circumstances averred in the petition and the fact that present petitioner is a lady Director of

said CRB Capital Market Limited having not taken any active participation in the financial transaction of the company; and apparent from the material produced on record; and in the context of submission urged at the Bar, it is ordered that in the event of arrest of petitioner Manjula Chainroop Bhansali in respect to any complaint filed by cooperative banks and financial institutions listed at Item No. 1 to 40 vide Annexure-A under Section 406, 409, 416, 418, 420 and 120B of the IPC, arising from a financial transaction with CRB Capital Market Limited, the petitioner be released on bail on executing a personal bond of Rs. 10 lacks (Rupees ten lacs only) and furnishing one or more sureties for the like amount to the satisfaction of the concerned police authorities and subject to following conditions:

1. She shall remain present before the trial court regularly as and when directed on dates fixed;
2. She shall report at the nearest Police Station on the 1st and 15th day of each month between 11.00 a.m. and 2.00 Noon/PM during the investigation of the said Crime, if any, till further order and shall furnish the address of her whereabouts to the Investigation Officer of the said crime;
3. She shall make himself available for interrogation by a police officer whenever and wherever required.
4. She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer.
5. She shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police.
6. She shall at the time of execution of bond furnish the address to the Investigating Officer and the Courts at Ahmedabad and shall not change his residence till the final disposal of the case or till further orders.
7. She shall not leave the place of his residence for a period beyond five days without the

permission of the Court. Further, he shall not leave India without the permission of the Court.

8. It would be open to the investigation officer to file an application for remand if he considers it proper and the learned Magistrate would decide it on merits.
9. The petitioner shall deposit the Passport with the Authority and if it is already deposited with any authority or court, she should furnish the information about the said deposit to the police authorities.
10. The petitioner is directed to furnish copy of Annexure-A to be annexed with the writ of this order.

All of which conditions shall be treated as conditions on which bail is granted. This order will hold good if the petitioner is arrested at any time within 90 days from today. The order for release on bail will remain operative only for a period of ten days from the date of his arrest. Thereafter it will be open to the petitioner to make a fresh application for being enlarged on bail which when it comes before the Competent Court will be disposed of in accordance with law, having regard to all the attendant circumstances and the materials available at the relevant time uninfluenced by the fact that Anticipatory Bail is granted by this Court to the petitioner.

Rule is made absolute accordingly. No order as to costs. Direct service is permitted.

p.n.nair